



"The City With a Heart"

Jim Ruane, Mayor  
Irene O'Connell, Vice Mayor  
Ken Ibarra, Councilmember  
Rico E. Medina, Councilmember  
Michael Salazar, Councilmember

## MINUTES

### SAN BRUNO CITY COUNCIL

January 8, 2013

7:00 p.m.

**Meeting Location: Senior Center, 1555 Crystal Springs Road, San Bruno**

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met on January 8, 2013 at the San Bruno Senior Center, 1555 Crystal Springs Rd., San Bruno, CA. The meeting was called to order at 7:06 p.m.

**Mayor Ruane** thanked the San Bruno Garden Club for the beautiful floral arrangement.

**2. ROLL CALL/PLEDGE OF ALLEGIANCE:** Presiding was Mayor Ruane, Vice Mayor O'Connell, Council Members Ibarra, Medina, and Salazar. Recording by Clerk Bonner. **City Clerk Bonner** led the Pledge of Allegiance.

**3. ANNOUNCEMENTS:**

**4. PRESENTATIONS:**

Receive Update from the San Mateo County Mosquito & Vector Control District. **Robert Riechel, 7<sup>th</sup> Ave.** introduced **Ben Rusmisel** from the District. **Riechel** gave a powerpoint presentation on mosquito and vector control.

**Councilmember Ibarra** asked if the canyon in the Glenview area has any standing water? **Rusmisel** said during this time of year the water is moving pretty fast. During the summer those areas are on a checklist and get trimmed or treated on a monthly schedule. **Councilmember Ibarra** said the City has a couple of multi-family developments, like the Place and Shelter Creek, who have significant landscapes and he asked if they were cooperating? **Rusmisel** was not aware of those areas.

**5. REVIEW OF AGENDA:** No changes.

**6. APPROVAL OF MINUTES:** Regular City Council Meetings of November 27 and December 11, 2012, with one minor change to the November 27 minutes and approved as amended.

**7. CONSENT CALENDAR:**

- a. **Approve:** Accounts Payable of December 10 and 17, 2012.
- b. **Approve:** Successor Agency Accounts Payable of December 17, 2012
- c. **Approve:** Payroll of December 16, 2012.
- d. **Adopt:** Resolution Approving the Submittal of a Proposal to San Mateo County Area Agency on Aging for Older Americans Act Funding of Senior Center Programs for Fiscal Years 2013 - 2015.

**Councilmember Medina** asked Item 7.d. be pulled.

**M/S Medina/Ibarra to approve** the remainder of the Consent Calendar and passed with all ayes.

**Councilmember Medina** pulled Item 7.d. to acknowledge the great job staff does and he asked it be noted this comes from the fundraising efforts, participants, donations from the senior citizens as well as from the non-profit nutrition site council. A lot of time and effort are put into helping offset some of the costs so this program can continue and be successful as it is.

**Assistant Library Services Director Alita** said he was encouraged and impressed by what the seniors do and expressed his gratitude for the kind comments.

**M/S Medina/Ibarra** to approve Item 7.d. and passed with all ayes.

## **8. PUBLIC HEARINGS:**

Hold Public Hearing; Waive First Reading and Introduce an Ordinance of the City of San Bruno Adding Chapter 10.25 (Reusable Bag Ordinance to Regulate the Distribution of Single-Use Carryout Bags by Retail Establishments) to Title 10 (Municipal Services) of the San Bruno Municipal Code.

**City Manager Jackson** gave brief introductory remarks. **Project Manager Costa-Sanders** gave an overview of the staff report and asked for questions.

**Councilmember Ibarra** asked where does the ten cents go? **Costa-Sanders** said it is maintained by the retailers to recover their cost of purchasing the bags as well as a reporting requirement where they will be asked to retain records of the sale of those bags for a period of three years from the point of sale.

**Councilmember Ibarra** asked what data are they trying to gather? **San Mateo County Public Health Director Dean Peterson** answered keeping track so the County can make sure they are selling the bags and not giving the bags away. The tracking will help with putting together information needed with the NPDES permit. **Councilmember Ibarra** asked what is wrong with them giving the bags away? **Peterson** said the EIR looked at this and paper bags are no better than plastic bags.

**Councilmember Salazar** asked why not ban paper bags? **Peterson** said the EIR looked at doing that but it was too big a change at this time. **Councilmember Salazar** said if 10 cents is too much to charge for the bags, why bump it up? **Peterson** said the theory is 10 cents is enough but eventually we become immune and so they have the ability to change it up to 25 cents.

**Councilmember Salazar** talked about thickness of plastic that would be considered; the ban would apply to bags less than 2.25 mils thick and could a retailer potentially go to a 3-mil bag and sidestep this regulation? **Peterson** said they could and that is the reason in the ordinance there is a minimum charge of 10 cents on either paper or a reusable bag.

**Councilmember Medina** said there are critics who would say it is more energy and jobs with the paper bags going away from plastic; he asked how we answer that? **Peterson** said this was looked at in the EIR and it was evaluated to be determined how much energy use was going to happen and the end result, with the use of reusable bags there is an overall reduction in energy use. As far as the job use, pretty much every company out there that makes plastic or papers bags also make reusable bags.

**Councilmember Medina** asked about the fines and how much more does it cost the County to police it? **Peterson** said they are not there to enforce, rather to make sure people are in compliance. Fines will only come into play if they don't listen to their consultations. Those fines would be retained by the County and would be used by the County for outreach back into the cities not following the guidelines. **Councilmember Medina** asked if there was any idea of the cost to the

County to educate/outreach/implement? **Peterson** said it is in his pollution prevention program budget and there is no additional staffing needed because staff is already out in the field. He said the County receives a certain percentage of tipping fees that go across the Ox Mountain landfill which help to fund programs to keep things out of the landfill so they are able to use those monies for outreach.

**Councilmember Medina** asked if someone did not charge the dime, would there be a potential violation if they continued? **Peterson** said yes and they would work with them to correct the problem.

**Councilmember Ibarra** asked if there is a record of a recycling program for single use plastic bags? **Peterson** said the State of CA has been trying for almost a decade now and that rate is around 5%. Mountain View or Santa Clara allows it into their curbside. **Councilmember Ibarra** asked if nationally a recycling program has been instigated where there are various ways people can come in and recycle the bags? **Peterson** said he is only familiar with California and bags can be brought back to the grocery stores and they are required by law to collect them from the citizens, which is only showing a 5% to 8% rate, which is a State law.

**Mayor Ruane** opened the Public Hearing.

**Robert Riechel, 7<sup>th</sup> Ave.** asked about disposable plastic bags. How do they work into the overall program? **Peterson** said a compostable bag needs to be in the right environment to decompose, which is not a backyard bin; it needs to be at a compost facility.

**M/S Medina/Ibarra** to close the Public Hearing and passed with all ayes.

**Vice Mayor O'Connell** said the Beautification Task Force through Operation Clean Sweep has supported this by giving out reusable bags for the last eight years and will continue to do so. She said after this ordinance passes, the first Saturday in May will be Operation Clean Sweep and anyone offering to help can receive a reusable bag.

**Councilmember Salazar** said he felt it was a good idea. He talked about outreach. **City Manager Jackson** said in every case where the opportunity to identify direct/local contact has been done. She said they are working with the Chamber of Commerce to host a business informational session and they are outreaching to Tanforan. Direct mailers have been done to all businesses through the Business License customer's list. **Costa-Sanders** said a mailing was done to all businesses as well as those who are exempt. She also said they would be doing direct visits.

**Councilmember Ibarra** said he didn't like it just as he didn't like recycling when it came about. He said he is an avid recycler but he didn't like the idea of eliminating plastic bags.

**Councilmember Medina** said he shared Councilmember Salazar's concerns and questioned if three months is enough time? He wished we had reached out sooner to the community and businesses. He asked to hear the feedback we get from the business and community on the 16<sup>th</sup> and 17<sup>th</sup> as well as any calls that come into the Clerk's office.

**Mayor Ruane** said he felt it was a good thing and we have waited a long time.

**M/S O'Connell/Salazar** to adopt the resolution making the CEQA findings for adoption and passed with all ayes.

**Vice Mayor O'Connell** introduced the ordinance and passed with a unanimous vote.

**City Manager Jackson** said staff would provide the information to Council regarding the feedback from the residents and businesses. She said if Council would like to see additional outreach that can certainly be directioned from this City Council prior to the second reading.

#### **9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:**

**Sherman, San Francisco Falun Buddha Study Asociation** invited Council to attend the Shen Yun Performing Arts performance March 20 –24, 2013 at the San Francisco Orpheum Theatre

**Robert Riechel, 7<sup>th</sup> Ave.** talked about Relay for Life, the 27<sup>th</sup> and 28<sup>th</sup> in April at Capuchino High School.

#### **10. CONDUCT OF BUSINESS:**

a. Adopt Resolution Acknowledging Participation in the San Mateo County Sub-region for the Regional Housing Needs Allocation Process (RHNA) and Acceptance of the Assigned Housing Share.

**Interim Community Development Director Sullivan** gave an overview of the staff report and asked for questions.

**Councilmember Ibarra** asked about the number of 1155 and asked if it was lower because we have already gotten credit? **Sullivan** said it is not because we have gotten credit it is because we have a carryover from what was assigned previously. **Councilmember Ibarra** did not feel good about the number. **Sullivan** said our last number was 973 and since RHNA we have built about 460 units. There were also units not included in the RHNA allocation and in the last housing element there was total of 688 opportunities for housing development in the City. We now have about 980 that can be carried over to the next housing element. This does not include rezoning along El Camino Real.

**Councilmember Ibarra** introduced the resolution for adoption and passed with a unanimous vote.

b. Receive Report and Provide Direction to Staff on the Civic Center Painting Project.

**Interim Engineer Razavi** gave an overview of the staff report and asked for questions.

Each Council member made a number of comments regarding the proposed Civic Center Painting Project: Brick planter in front should be in stucco, remainder of bricks cleaned, sculpture one color, foliage trimmed, entrance is main focus.

**Councilmember Salazar** asked what we expect to cover with the \$15,000 construction contingency? He asked if there are other projects in the building that need to be looked at instead of this? **Razavi** said they expect the damage to be minimal on all three buildings. He asked if there are other projects in these three buildings that might need attention.

**City Manager Jackson** said there is a project at fire stations, 51 and 52 having to do with seismic improvements and there is an outstanding need to address security issues in the interior of City Hall. A comprehensive evaluation of the maintenance of our buildings has not been completed.

**City Manager Jackson** said the intent tonight was to get general direction. She said the Council would have more opportunity to make additional decisions when staff returns with an award of contract. If there is more detail, the Mayor will be asked to form a subcommittee.

**Mayor Ruane** suggested a computerized picture be done to show what we will get.

**Councilmember Ibarra** asked if a painting contractor is on staff? **Fabry** said Ray Razavi contacted a painting contractor to provide us with his feedback and he helped make this recommendation.

c. Adopt Resolution Authorizing the City Manager to Execute a Consultant Engineering Services Contract with West Yost Associates to Provide Engineering Services for Pressure Regulating Stations on SFPUC Service Connections Project in an Amount Not-to-Exceed \$120,860.

**Associate Engineer Cervantes** gave an overview of the staff report and asked for questions.

**Vice Mayor O'Connell** introduced the resolution for adoption and passed with a unanimous vote.

d. Adopt Resolution Authorizing the City Manager to Amend the Contract with Parsons Brinckerhoff for Construction Management Services for the San Bruno Grade Separation Project in an Amount Not to Exceed \$75,000 for a Total Contract Amount Not-to-Exceed \$402,000.

**Public Services Director Fabry** gave an overview of the staff report and asked for questions.

**Councilmember Ibarra** said this construction has been a lot different than BART.

**Councilmember Ibarra** introduced the resolution for adoption and passed with a unanimous vote.

e. Receive Report and Provide Direction to Staff Regarding the Olympic Wastewater Pump Station Rehabilitation and Force Main Replacement Project.

**Associate Engineer Wong** gave an overview of the staff report, said it was staff's recommendation to go with Option B and asked for questions.

**Councilmember Medina** said on Option A there is a one time connecting fee of \$1.2 million for the 467 homes. If they are already connected, why is there a fee? **Wong** said the 467 homes are currently charged to San Bruno's sewer system and Daly City is requesting the one-time connection fee based on their current connection fee rate of \$2600 per home to add to their sewer system.

**Councilmember Medina** asked for a further explanation. **Fabry** said from Daly City's point of view this would be a new connection to their system and exactly how San Bruno charges capacity charge which is what the \$1.2 million dollars is.

**Councilmember Medina** asked about the salvage value in Option B? **Wong** said salvage value in the analysis means the present value which is to bring all the cost items for 30 years, convert it into current day's dollars. In order to count all the expenses at the end of 30 years we have a pump station that might be of some value. **City Manager Jackson** said it is an analytical tool to be complete in including the useful life value of the asset at the end of the 30-year period.

**Councilmember Medina** asked if Option A vs. Option B took into account staff resources, vehicles, overtime, all the attributes that would go on in a 30-year time. **Wong** said yes for both Options.

**Councilmember Ibarra** asked if there was a policy decision made that we don't want another City taking care of our residents? He said he didn't think it would be good business for us to do this and we already have a partnership with South San Francisco.

**Councilmember Salazar** said if there is a policy, we should always look regionally at these solutions rather than isolate our system from their system. He appreciated the level of detail in the report.

**Vice Mayor O'Connell** echoed Councilmember Salazar's statements and thanked staff.

**Mayor Ruane** said he liked local control and he was for Option B.

**11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:** None.

**12. COMMENTS FROM COUNCIL MEMBERS:**

**Mayor Ruane** said they just received a report that the sanitary sewer overflow (sso) count has gone down considerably and it has to do with what the City is doing with the extra monies charged to residents.

**Councilmember Ibarra** expressed his sympathy on the death of longtime resident and volunteer, Arland Sponsler and he asked we adjourn in his memory.

**13. CLOSED SESSION:** None

**14. ADJOURNMENT:**

**Mayor Ruane** closed the meeting at 9:13 p.m. in memory of victims in the Newtown, Connecticut shooting and Arland Sponsler. The next regular City Council Meeting will be held on January 22, 2013 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval  
at the City Council Meeting of  
January 22, 2013

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Carol Bonner, City Clerk

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Jim Ruane, Mayor